

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77980412
LAW OFFICE ASSIGNED	LAW OFFICE 110
MARK SECTION (no change)	
ARGUMENT(S)	
Please see the actual argument text attached within the Evidence section.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_7610123121-114304500_.OA2.Resp_77980412.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT11\IMAGEOUT11\779\804\77980412\xml7\RFR0002.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\779\804\77980412\xml7\RFR0003.JPG
DESCRIPTION OF EVIDENCE FILE	a Request for Reconsideration
SIGNATURE SECTION	
RESPONSE SIGNATURE	/jennifer l. whitelaw/
SIGNATORY'S NAME	Jennifer L. Whitelaw
SIGNATORY'S POSITION	Attorney of record, Florida bar member
DATE SIGNED	10/28/2011
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Oct 28 12:41:59 EDT 2011
	USPTO/RFR-76.101.231.21-2

TEAS STAMP

0111028124159397984-77980
412-48047651a4755f2097988
39ed8652f80d2-N/A-N/A-201
11028114304500488

PTO Form (Rev 4/2000)
OMB No. 0651-.... (Exp. 08/31/2004)

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **77980412** has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see the actual argument text attached within the Evidence section.

EVIDENCE

Evidence in the nature of a Request for Reconsideration has been attached.

Original PDF file:

[evi_7610123121-114304500 . OA2 Resp 77980412.pdf](#)

Converted PDF file(s) (2 pages)

[Evidence-1](#)

[Evidence-2](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /jennifer l. whitelaw/ Date: 10/28/2011

Signatory's Name: Jennifer L. Whitelaw

Signatory's Position: Attorney of record, Florida bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77980412

Internet Transmission Date: Fri Oct 28 12:41:59 EDT 2011

TEAS Stamp: USPTO/RFR-76.101.231.21-2011102812415939

7984-77980412-48047651a4755f209798839ed8

652f80d2-N/A-N/A-20111028114304500488

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Gulf Coast Nutritionals, Inc.

Serial No.: 77/980412

Filed: January 8, 2008

Mark: PLAQUE-ZAPPER

Law Office 110

Trademark Attorney

Jennifer Hazard Dixon

REMARKS

A Final office action in the above dated April 28, 2011 has been received and its contents carefully noted.

REQUEST FOR RECONSIDERATION

Applicant confirms that the goods serve as a "complement" as to pet food and pet treats, rather than a "compliment". In either event, Applicant has clearly proven a treat by its very definition.

Applicant clearly states for the record that the content of the package submitted herewith include what is properly also known as a treat and one which indeed the pet happily consumes. Applicant disagrees with the Examining Attorney's continued refusal of the specimen for the goods in Class 31, which are: "Pet products, namely, edible pet treats, pet food and pet beverages", and has simultaneously filed a Notice of Appeal with the Trademark Trial and Appeal Board.

Serial No. 77980412
Mark: PLAQUE-ZAPPER

CONCLUSION

In light of the foregoing, Applicant therefore respectfully requests that the Examining Attorney reconsider this matter and accept the Statement of Use as to the goods in Class 31.

Respectfully submitted,

/JENNIFER L. WHITELAW/
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CERTIFICATE OF MAILING

I HEREBY CERTIFY that the original of this Request for Reconsideration is being submitted electronically via the TEAS system of the United States Patent and Trademark Office on October 28, 2011.

/JENNIFER L. WHITELAW/
JENNIFER L. WHITELAW